

REMARKS

Claims 1-55 and 59-61 are currently pending in the application. Claims 1-55 and 59-61 are rejected. Claims 57 and 58 are objected to. Claims 1, 11, 25, 37, 46, 53 and 61 are amended. Applicant thanks the Examiner for the objected to subject matter.

Rejections under 35 U.S.C. § 103

The Examiner rejected claims 1-2, 5-6, 8-12, 14-16, 37-38, 41-43, 45-47, 50-51, 53, 54 and 59-61 under 35 USC 103(a) as being anticipated by Soltys et al. (US patent No. 6, 533, 662) in view of Olah et al (U.S. Patent No. 6, 446, 119). The rejection is respectfully traversed.

The present invention, as described in the remaining claims, are implemented on a gaming machine operable to play a game of chance. The present invention describes, as recited in claim 1 as amended, that a sequence of game presentation frames for use in a video game presentation of a game of chance played on the gaming machine are generated and frame data from the selected game presentation frame are incorporated into a game history frame. The game history frame may be stored on a memory device on the gaming machine and may be later recalled for display.

In the past, game history information that did not include actual frame data from the game was stored on the gaming machine as a game history. When the game history was needed, the stored game history information was used to construct an image of what occurred on the gaming machine during game play. The reconstruction of the image required a separate history playback code to reconstruct the image. Since frame data from a video game presentation of a game of chance played on the gaming machine is stored, an advantage of the present invention is that the image does not have to be reconstructed using a history playback code. Thus, a complicated history playback code does not have to be developed and submitted for regulatory approval, which is costly. A disadvantage of storing actual frames from a video game presentation on the gaming machine as a game history frame is that more non-volatile memory is required as compared to just saving information used to reconstruct frames for history playback. Traditionally, non-volatile memory utilization has been an important issue in gaming machines because it has been more expensive, has required a separate power supply and has been limited in size as compared to volatile memory on a gaming machine.

Soltys teaches recording images using cameras to remotely monitor events occurring at a table game. Olah teaches screen capture from a computer display. Applicant believes that the combination of Soltys and Olah does not teach or suggest generating a sequence of game presentation frames for use in a video game presentation of a game of chance played on the gaming machine and incorporating game presentation frames into a game history frame. Applicant basis for this belief is that Soltys or Olah do not describe generating game presentation

frames for use in video game presentation of games of chance played on a gaming machine. Thus, it is Applicant's assertion that the combination of references does not teach all of the limitations described in the pending claims.

In regards to motivation to combine the references, neither reference describes issues relating to history playback in a gaming machine, such as non-volatile memory usage or frame reconstruction using history playback. Thus, applicant believes the references do not provide a motivation for the combination. The Examiner has stated that one of ordinary skill in the art would be motivated to combine the features of Olah, et al. into a casino such as disclosed by Soltys to provide a monitoring feature for not only table games, but also gaming machines in order to provide a more thorough security system in order to prevent cheating and to monitor usage and functionality. Applicant does not believe one in ordinary skill of the art would be motivated in the manner suggested by the Examiner for the following reasons. Soltys states that the objective of their invention is to replace manual methods with automatic methods to prevent cheating and track customers at table games (Col. 2). Gaming machines do not use manual methods to prevent cheating and to track customers. Gaming machines already perform these methods automatically. Thus, one in skill in the art in gaming machine reading Soltys would not be motivated to apply the methods to a gaming machine because Soltys suggests the objective of their methods is to automate manual processes to increase security and better track customers but these process are already automated on a gaming machine.

As stated above, the references provided by the Examiner are silent in regards to issues surround game history capture and playback on a gaming machine. Applicant admits that storing game history information is important for gaming machines, which is why it is currently done. Examiner states that the history frame could be then stored in memory for immediate or future review as would be desirable for the reasons disclosed by Applicants. Applicant believes this may be "hindsight" type reasoning, i.e., providing the motivation for the combination based upon applicants disclosure. The MPEP requires that the motivation for the combination in an obviousness rejection come from some teaching in the references themselves or from knowledge well-known in the art. Applicant's disclosure of a discovery of the source of a problem in history playback is part of "the subject matter as a whole" (see MPEP 2141.02) and is not admitted prior art. Since the references cited by the Examiner do not provide a motivation for the combination, Applicant assumes Examiner must believe issues relating to game history capture and play back on a gaming machine are well-known in the art. If Examiner believes these issues are well known in the art, Applicant respectfully requests Examiner to provide a reference that describes the issues regarding game history capture and playback on a gaming machine as applied to the claims pending in the present application. Thus, for at least these reasons, the combination of Soltys and Olah can't be said to render obviousness claims 1-2, 5-6, 8-12, 14-16, 37-38, 41-43, 45-47, 50-51, 53, 54 and 59-61 and the rejection is believed overcome thereby.

The Examiner rejected claims 3, 4, 19, 24 and 44 under 35 USC 103(a) as being anticipated by Soltys et al. (US patent No. 6, 533, 662) in view of Olah et al (U.S. Patent No. 6, 446, 119) in further view of Acres (6,319, 215). The rejection is respectively traversed.

The Examiner relies on Acres to describe that is desirable to increase memory space in a gaming device. Applicant believes this teaching in Acres cited by the Examiner does not correct the defects in the combination of Soltys and Olah described above in regards to not teaching all of the limitations of the present invention and the lack of a motivation for the combination. Therefore, for at least these reasons, the combination of Soltys, Olah and Acres can't be said to render obvious claims 3, 4, 19, 24 and 44 and the rejection is believed overcome thereby.

The Examiner rejected claims 7, 39 and 40 under 35 USC 103(a) as being anticipated by Soltys et al. (US patent No. 6, 533, 662) in view of Olah et al (U.S. Patent No. 6, 446, 119) in further view of Cumbers (6,234, 900). The rejection is respectively traversed.

The Examiner relies on Cumbers to teach recording a players image on a gaming machine. In Cumbers, a players image is analyzed to determines the players identity and corresponding player tracking account. Applicant believes this teaching in Cumbers cited by the Examiner does not correct the defects in the combination of Soltys and Olah described above in regards to not teaching all of the limitations of the present invention and the lack of a motivation for the combination. The Examiner states the motivation for this combination is the need for more security on a gaming machine. Applicant respectfully asks the Examiner to point out where this taught in the references cited by the Examiner. Therefore, for at least these reasons, the combination of Soltys, Olah and Cumbers can't be said to render obvious claims 7, 39 and 40 and the rejection is believed overcome thereby.

The Examiner rejected claims 13, 22, 23, 25-33, 36 and 48-49 under 35 USC 103(a) as being anticipated by Soltys et al. (US patent No. 6, 533, 662) in view of Olah et al (U.S. Patent No. 6, 446, 119) in further view of Alcorn (6,149,522). The rejection is respectively traversed.

The Examiner relies on Alcorn to teach encryption. Applicant believes this teaching in Alcorn cited by the Examiner does not correct the defects in the combination of Soltys and Olah described above in regards to not teaching all of the limitations of the present invention and the lack of a motivation for the combination. Therefore, for at least these reasons, the combination of Soltys, Olah and Alcorn can't be said to render obvious claims 13, 22, 23, 25-33, 36 and 48-49 and the rejection is believed overcome thereby.

The Examiner rejected claims 17 and 55 under 35 USC 103(a) as being anticipated by Soltys et al. (US patent No. 6, 533, 662) in view of Olah et al (U.S. Patent No. 6, 446, 119) in further view of Acres (6,319, 125). The rejection is respectively traversed.

The Examiner relies on Acres to describe memory utilization in a processor. Applicant believes this description in Acres cited by the Examiner does not correct the defects in the combination of Soltys and Olah described above in regards to not teaching all of the limitations of the present invention and the lack of a motivation for the combination. Therefore, for at least

these reasons, the combination of Soltys, Olah and Acres can't be said to render obvious claims 17 and 55 the rejection is believed overcome thereby.

The Examiner rejected claims 20, 21, 34 and 35 under 35 USC 103(a) as being anticipated by Soltys et al. (US patent No. 6, 533, 662) in view of Olah et al (U.S. Patent No. 6, 446, 119) in further view of Alcorn (6,149,522) in further view of Acres (6,319, 125) further in view of Sanford II et al (6, 021, 196). The rejection is respectively traversed.

Examiner relies on Sanford to describe color reduction and compression/decompression. Applicant believes this description in Sanford cited by the Examiner does not correct the defects in the combination of Soltys, Olah, Alcorn and Acres described above in regards to not teaching all of the limitations of the present invention and the lack of a motivation for the combination. Therefore, for at least these reasons, the combination of Soltys, Olah, Alcorn, Acres and Sanford can't be said to render obvious claims 20, 21, 34 and 35 the rejection is believed overcome thereby. The rejection is respectively traversed.

The Examiner rejected claims 52 under 35 USC 103(a) as being anticipated by Soltys et al. (US patent No. 6, 533, 662) in view of Olah et al (U.S. Patent No. 6, 446, 119) in further view of Slye et al. (5,395, 242).

Examiner relies on Slye to describe multiple modes of playback. Applicant believes this description in Slye cited by the Examiner does not correct the defects in the combination of Soltys and Olah described above in regards to not teaching all of the limitations of the present invention and the lack of a motivation for the combination. Therefore, for at least these reasons, the combination of Soltys, Olah and Slye can't be said to render obvious claims 52 the rejection is believed overcome thereby.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



David P. Olynick
Reg. No.: 48,615

P.O. Box 778
Berkeley, CA 94704-0778
510-843-6200